

REMARKS

After entry of this amendment, claims 1, 2, 4-10, 12-17, 22 and 24-26 are pending in the application. Claims 1, 2, and 17 have been amended to more specifically claim the subject matter of Applicants' invention. Reconsideration of the application as amended is requested.

In the Office Action dated December 5, 2006, claims 1-2, 4, 6, 9-10, 16-17, 22, and 24-26 stand rejected under 35 U.S.C. §102(b) as being anticipated by Marcussen et al, U.S. Patent No. 3,890,987. The Examiner contends that Marcussen discloses all of the claimed features of Applicants' invention. Claim 1, from which claims 2, 4, 9-10, 16 and 26 depend, discloses a dishwasher having a wash aid dispenser provided on the inner face of the door and a liquid delivery system for delivering liquid from at least one of an external supply and the wash chamber to the wash aid dispenser. The wash aid dispenser includes a recess for receiving a wash aid. The wash aid can be a detergent, a rinse aid, a film remover, or other substance for aiding in the washing of dishes. Specification, pg. 1, ll. 12-13. The liquid delivery system delivers a liquid from at least one of an external supply and the wash chamber to the wash aid dispenser. Claim 17, from which claims 22, 24 and 25 depend, recites that the liquid delivery system for delivering liquid from at least one of an external supply and the wash chamber to a wash aid dispenser. The wash aid dispenser also includes a recess for receiving a wash aid. The liquid delivery system comprises a first hose portion carried by the housing and fluidly coupled to one the external supply and the wash chamber, a second hose portion carrier by the door and fluidly coupled to the wash aid dispenser, and a fluid coupling fluidly connecting the first and second hose portions at an interface between the wash chamber and the door when the door is in the closed position. The fluid coupling extends between the first and second hose portions at the portion of the interface coinciding with the door hinge axis. Claims 16 and 25 further recites that the wash aid dispenser is a bulk wash aid dispenser. A bulk wash aid dispenser prevents the user from having to replace the wash aid between each use of the dishwasher or to determine the quantity of wash aid in the dishwasher liquid solution. Specification pg. 2, ll. 8-11.

Marcussen discloses a dishwasher having an auxiliary washing liquid delivery means which includes a conduit 39 extending into a lower chamber 41 of a well 35 to the dishwasher door. The conduit 39 pumps the chamber washing liquid from the heated lower chamber 41 to a second conduit 44 and through a discharge element 46 downward toward the

silverware basket 22. Col. 4, ll. 15-17 and 22-31 and Fig. 4. The discharge element 46 does not include a recess for receiving a wash aid. Instead, carried on the door is a detergent dispenser 23 and a rinsing additive dispenser 24, each of which is separate and independent of the conduit 39, 44 and the discharge element 46. Col. 3, ll. 38-39 and Fig. 4. Marcussen is devoid of a liquid delivery system for delivering liquid from at least one of an external supply and the wash chamber to the wash aid dispenser, which includes a recess for receiving a wash aid as recited in claims 1 and 17. Further, Marcussen is also devoid of the wash aid dispenser being a bulk wash aid dispenser as recited in dependent claims 16 and 25. Therefore, it is respectfully submitted that Applicants' invention as set forth in claims 1 and 17, and the claims depending therefrom, is patentably distinct from Marcussen. Reconsideration is respectfully requested.

Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Marcussen in view of Guth, U.S. Patent No. 3,903,911. The Examiner contends that although Marcussen fails to disclose extendable hose portion, it would have been obvious to modify Marcussen to have flexible hosing to facilitate the opening and closing of the door in view of Guth. Claim 5 includes by dependency the subject matter recited in claims 1, 2 and 4. Applicants respectfully resubmit that Marcussen is devoid of a liquid delivery system for delivering liquid from at least one of an external supply and the wash chamber to the wash aid dispenser, which includes a recess for receiving a wash aid as recited in claim 1. Although Guth discloses a flexible hose 94 extending from the pump 54 to the upper spray conduit 28 (col. 3, ll. 22-23), the combination of Marcussen and Guth is devoid of a liquid delivery system for delivering liquid from at least one of an external supply and the wash chamber to the wash aid dispenser, which includes a recess for receiving a wash aid. Therefore the cited references, taken singly or in combination, do not anticipate, teach or suggest the invention recited in claim 5. Reconsideration is respectfully requested.

Claims 7-8 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Marcussen in view of Hechler, IV, U.S. Patent No. 4,086,937. The Examiner contends that although Marcussen fails to disclose discrete multiple passages in the conduit, it would have been obvious to modify Marcussen to have two discrete passages for the supply of multiple fluids as taught by Hechler. Claim 20 has been canceled and is no longer pending in the application. Claims 7 and 8 include by dependency the subject matter recited in claims 1, 2 and 6. Applicants respectfully resubmit that Marcussen is also devoid

of a liquid delivery system for delivering liquid from at least one of an external supply and the wash chamber to the wash aid dispenser, which includes a recess for receiving a wash aid as recited in claim 1. Hechler discloses a dispensing nozzle 12 having a solute supply tube 18 and a solvent supply tube 20. However, Hechler is also devoid of a liquid delivery system for delivering liquid from at least one of an external supply and the wash chamber to the wash aid dispenser, which includes a recess for receiving a wash aid. Therefore the cited references, taken singly or in combination, do not anticipate, teach or suggest the invention recited in claims 7 and 8. Reconsideration is respectfully requested.

Claims 12-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Marcussen in view of Milocco, European Application No. 0545127A1 . The Examiner contends that although Marcussen does not disclose a shut-off valve disposed in the transition portion, it would have been obvious to modify Marcussen to add a sealed valve with an associated coupling in view of Milocco. Claims 12 and 13 include by dependency the subject matter recited in claim 17. Applicants respectfully resubmit that Marcussen is also devoid of a liquid delivery system for delivering liquid from at least one of an external supply and the wash chamber to the wash aid dispenser, which includes a recess for receiving a wash aid as recited in claim 17. Milocco discloses a door 3 having a coupling means 17, 18 and a conduit 10 in which water from the tap enters the tub 2. Col. 4, ll. 48-53. However, Milocco also fails to disclose a liquid delivery system for delivering liquid from at least one of an external supply and the wash chamber to the wash aid dispenser, which includes a recess for receiving a wash aid. Therefore the combination of Marcussen and Milocco does not anticipate, teach or suggest the invention recited in claims 12 and 13. Reconsideration is respectfully requested.

Claims 14-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Marcussen in view of Jacobs, U.S. Patent No. 3,847,666, and further in view of Guth. The Examiner contends that although Marcussen does not disclose a multiple outlet valve, it would have been obvious to modify Marcussen to include a multiple outlet valve as taught by Jacobs, to deliver fluid to different areas of the apparatus using the double hose as taught by Guth. Claims 14 and 15 include by dependency claims 1 and 16, which recites a liquid delivery system for delivering liquid from at least one of an external supply and the wash chamber to the wash aid dispenser, which includes a recess for receiving a wash aid. Jacobs is relevant only for its disclosure of a 3-way actuated valve 92 that directs fluid from the

housing 97 through either a recirculation valve outlet port 94, a restricted valve outlet port 95, or to the drain conduit 104 at port 94. Therefore, the references cited do not render obvious the elements of claims 14 and 15. Reconsideration is respectfully requested.

Entry of this Amendment under the provisions of 37C.F.R. § 1.116 is submitted to place the application in better form for appeal by simplifying the issues for appeal and does not present any additional claims. This Amendment does not raise new issues that would require further consideration and/or search and does not raise issues of new matter since the proposed amendments have support in the originally filed application, including the specification, claims and drawings.

No fees or extensions of time are believed to be due in connection with this filing. However, please consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 23-1660.

For these reasons, it is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is respectfully requested.

Respectfully submitted,

/Tara M. Hartman/

Tara M. Hartman, Registration No. 58,805
Telephone: (269) 923-8081

WHIRLPOOL PATENTS COMPANY
500 Renaissance Drive – Ste. 102 MD750
St. Joseph, Michigan 49085

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

deposited with the United States Postal Service
with sufficient postage as first class mail, in an envelope
addressed to the Commissioner for Patents,
Alexandria, VA, 22313-1450.

transmitted by via EFS web filing System

Date: July 10, 2007

Signature

Deborah A. Tomaszewski

Deborah A. Tomaszewski

(type or print name of person certifying)